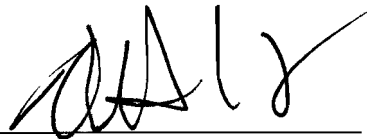


AUGUST 25, 2008

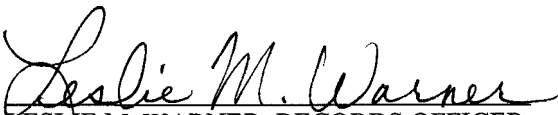
THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON AUGUST 25, 2008, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, AND FEE WAIVER BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 6:00 P.M. ON AUGUST 25, 2008.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 5; SURFACE ACTIONS AS LISTED ON PAGES 5 TO 18; DEVELOPMENT ACTIONS AS LISTED ON PAGES 18 TO 19; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 19.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND ARE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON MONDAY, SEPTEMBER 8, 2008. APPEALS NOT FILED BY THAT TIME WILL BE CONSIDERED UNACCEPTABLE AND THE MATTERS WILL BE UNAPPEALABLE.



KEVIN S. CARTER, DIRECTOR
SCHOOL AND INSTITUTIONAL
TRUST LANDS ADMINISTRATION



LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

MINERAL ACTIONS

PREDESIGNATION FOR OVER-THE-COUNTER SAND AND GRAVEL SALES PRED NO. 733 (APPROVAL)

AFFECTED LANDS:

Township 13 North, Range 18 West, SLB&M.
Section 16: E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$

COUNTY: Box Elder

ACRES: 20.0 \pm

FUND: SCH

The subject lands are the historic site of sand and gravel operations and meet the requirements of R850-23-1400 for over-the-counter sand and gravel sales.

Upon recommendation of Mr. Tom Faddies, the Director approved the above-referenced predesignation for over-the-counter sand and gravel sales.

APPROVAL OF MINERAL LEASE APPLICATIONS FOR HUMIC SHALE

The following-described mineral lease applications have been received for Humic Shale. Humic Shale is withdrawn from leasing over-the-counter except by competitive bid or negotiated lease agreements. The Trust Lands Minerals Group has negotiated the following lease terms and conditions with the applicant: 1) *one-year Primary lease term*; 2) *production royalty rate of \$6 per ton or 10% Gross Value, whichever amount is greater*; and, 3) *annual minimum advance royalty of \$5,000 for each lease, payable in advance of each lease year*. The leases will be issued using the Agency's generic mineral lease form for Humic Shale which includes an annual rental requirement of at least \$500 for each lease. The applicant paid the required \$30 filing fee with each application and has also submitted the required annual rentals and annual minimum royalties for the first year of the leases. The lands covered by these applications are presently under Minerals Management Alert and are withdrawn from leasing as part of a trust lands coal block. The Minerals Group has examined the subject lands, however, and suggests that Humic Shale operations proposed upon the surface of the lands will not hamper future leasing or extraction of the coal resources. The lands are otherwise open and available for Humic Shale leasing which may generate significant other mineral revenues for the Trust.

ML 51488
Wayne Hunt
300 West 200 North
Price, UT 84501

T23S, R6E, SLB&M.
SEC. 31: SE $\frac{1}{4}$

Emery
160.00 acres

FUIND: SCH

ML 51489
Wayne Hunt
300 West 200 North
Price, UT 84501

T23S, R6E, SLB&M.
SEC. 32: SW $\frac{1}{4}$

Emery
160.00 acres

FUND: SCH

Upon recommendation of Mr. Blake, the Director approved the above-listed applications.

**REFUND FOR OVERPAYMENT OF PRODUCTION ROYALTIES – METALLIFEROUS MINERALS LEASE
ML 18237**

A recent Agency audit of Brush Resources Inc. has confirmed that during the year of 1999 Brush Resources had underestimated their deductible costs resulting in an overpayment of production royalties from the above-listed Metalliferous Minerals lease for the year of 1999. The amount of the production royalty payment is \$1653. Brush Resources Inc. has requested that the 1999 overpayment of production royalties be refunded to them at the address listed below.

AMOUNT OF REFUND: \$1653

REFUND TO BE MADE TO: Brush Resources Inc.
P.O. Box 815
Delta, UT 84624

FUND: SCH

Upon recommendation of Mr. Stokes, the Director approved the above referenced refund of production royalties to Brush Resources Inc.

PARTIAL ASSIGNMENT – METALLIFEROUS MINERALS LEASE

Upon recommendation of Mr. Stokes, the Director approved the partial assignment of the lease listed below to Wave Uranium Holding, 5348 Vegas Drive, Suite 228, Las Vegas, NV 89108, by Future Energy LLC. No override.
(New lease to be numbered ML 50949-A.)

ML 50949:

OWNERSHIP BEFORE ASSIGNMENT:
RECORD TITLE:

FUTURE ENERGY LLC – 100%

OWNERSHIP AFTER ASSIGNMENT:
RECORD TITLE:

REMAINING IN ML 50949:

T25S, R18E, SLB&M. 1280.00 ACRES

SEC. 16: ALL

SEC. 32: ALL

FUTURE ENERGY LLC – 100%

NEW LEASE - ML 50949-A:

RECORD TITLE:

T25S, R18E, SLB&M. 560.00 ACRES

SEC. 32: N¹/₂, N¹/₂SW¹/₄, SE¹/₄

WAVE URANIUM HOLDING - 100%

....ML 50949 (SCH).....ML 50949-A....

SUBLEASES – METALLIFEROUS MINERALS LEASES

Upon recommendation of Mr. Stokes, the Director approved the sublease of the leases listed below to Trigon Exploration Red Canyon, 1889 Spall Road, Suite 203, Kelowna, British Columbia, Canada V1Y 4R2, by Mitch Shumway, who reserves 2% overriding royalty. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

MITCH SHUMWAY – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

MITCH SHUMWAY – 100%

SUBLEASE:

TRIGON EXPLORATION RED CANYON – 100%

....ML 49709 (SCH)....ML 49713 (SCH)....

Upon recommendation of Mr. Stokes, the Director approved the sublease of the lease listed below to Trigon Exploration Red Canyon, 1889 Spall Road, Suite 203, Kelowna, British Columbia, Canada V1Y 4R2, by Deryl Shumway, who reserves 2% overriding royalty. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

DERYL SHUMWAY – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

DERYL SHUMWAY – 100%

SUBLEASE:

TRIGON EXPLORATION RED CANYON – 100%

....ML 49727 (SCH)....

REFUND OF OVERPAYMENT OF FILING FEES – ML 51193 – GEOTHERMAL

On August 12, 2008, through a Director's Findings Process, assignments were approved on several Geothermal leases. The lessee made payment for filing fees in an excess of \$50 on the above-numbered lease. **A refund in the amount of \$50.00 should be made to Raser Technologies, Inc., 5152 N. Edgewood Dr., Provo, UT 84604.**

Upon recommendation of Mr. Stokes, the Director approved the above-listed refund of filing fees.

APPROVAL OF OIL, GAS, AND ASSOCIATED HYDROCARBONS LEASE – ML 51494-OBA (SCH)

The Board, at its meeting on August 19, 2008, approved the above-listed lease application as follows:

Mineral Lease No. 51494-OBA

Running Foxes Petroleum, Inc.

ATTN: Greg Simonds

7060 B S. Tucson Way

Centennial, CO 80112

T20S, R23E, SLB&M.

SEC. 2: SE¼SE¼

Grand

40.00 acres

FUND: SCH

This lease is approved with the following stipulations:

**APPROVAL OF OIL, GAS, AND ASSOCIATED HYDROCARBONS LEASE – ML 51494-OBA (SCH)
(CONTINUED)**

1. Term will be for one (1) year with a 13% landowner's royalty burden.
2. Assignments of wellbores will be prepared by TLA to Running Foxes Petroleum for the following wells:

4301930580	4301930514
State 2-2	State 2-5
SE¼SE¼ Sec. 2, T20S, R23E	SE¼SE¼ Sec. 2, T20S, R23E

Running Foxes will agree to produce or plug the captioned wells during the primary term of the lease. All past due payments must be made to TLA before the wellbore assignments will be issued.
3. Running Foxes must be properly bonded with both TLA and the Utah Division of Oil, Gas, and Mining.
4. At the end of the primary term, lessee agrees the lease will automatically expire below the stratigraphic equivalent of deepest depth drilled in any well located on the forty acre lease.
5. Bonus consideration for the lease will be \$25/net acre for a total of \$1,000.

This item was submitted by Ms. Garrison for record-keeping purposes only.

TOTAL ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of the leases listed below to Whiting Oil and Gas Corporation, 1700 Broadway, Suite 2300, Denver, CO 80290, by Chicago Energy Associates, LLC. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

CHICAGO ENERGY ASSOCIATES LLC – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

WHITING OIL AND GAS CORPORATION – 100%

....ML 44317 (SCH)....ML 46842 (SCH)....ML 47437 (SCH)...ML 49065 (SCH)....

**CONVERSION – DUNCAN OIL PARTNERS INTO DUNCAN OIL PARTNERS, LLC – ML 47533 (SCH),
ML 47785 (SCH), ML 48770 (SCH), ML 50247 (SCH), ML 50248 (SCH), ML 50252 (SCH), ML 50253 (SCH),
ML 50254 (SCH: 40.00; DEAF: 160.00), ML 50255 (SCH: 326.11; USH: 150.09)**

This office has received evidence that, effective January 1, 2008, Duncan Oil Partners converted their name to Duncan Oil Partners, LLC, 1777 S. Harrison Street, Penthouse One, Denver, CO 80210, covering the above-numbered leases.

This item is submitted by Ms. Garrison for record-keeping purposes only.

APPROVAL OF THE SUNNYSIDE UNIT (SCH)

Bill Barrett Corporation, Operator of the Sunnyside Unit, has furnished the State of Utah School and Institutional Trust Lands Administration Office with evidence that the unit was approved by the Bureau of Land Management on July 30, 2008, with the same effective date.

The following leases should be noted as being committed to the Sunnyside Unit with all formations unitized:

<u>LEASE #</u>	<u>LESSEE</u>
ML 48083	Bill Barrett Corporation
ML 49783	Bill Barrett Corporation

This item was submitted by Ms. Wells for record-keeping purposes only.

INVALIDATION OF THE WEST PINE SPRINGS UNIT

In accordance with the Certification and Determination of the West Pine Springs Unit Agreement, said unit agreement is hereby declared *invalid ab initio* as stated in the United States Bureau of Land Management letter dated August 1, 2008. The decision is based on the failure to commence drilling requirements within specified timeframes as outlined in Section 9 of the West Pine Springs Unit Agreement.

Since the unit is invalid, the West Pine Springs Unit is considered as if it never existed. Thereby the invalidation date refers back to October 31, 2007, the BLM approval date of the unit. The following SITLA lease is beyond its primary term with no production well holding the lease. Therefore, the lease has terminated as of July 31, 2008.

<u>LEASE #</u>	<u>LESSEE</u>
ML 47726	Dale E. Armstrong
(MH: 63.12; USH: 80.00; SCH: 1187.93)	

This item was submitted by Ms. Wells for record-keeping purposes only.

S U R F A C E A C T I O N S

GRAZING PERMITS**GRAZING PERMIT NO. 21211-A (ASSIGNMENT AND CANCELLATION)**

John S. Nielson, P.O. Box 38117, Leamington, UT 84638, has requested the Trust Lands Administration's permission to assign 100% interest in the above referenced grazing permit to Probst Enterprises, 41 West Main St., Midway, UT 84049. The AUMs from GP 21211-A should be added to the AUMs already permitted by Probst Enterprises on GP 21211, and GP 21211-A should then be canceled. GP 21211 will now have 95 AUMs. The acreage will remain the same. The assignment fee in the amount of \$30.00 has been submitted. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the assignment and cancellation of GP 21211-A.

RIGHTS OF ENTRY

RIGHT OF ENTRY NO. 5228 (APPROVAL)

On August 16, 2008, the School and Institutional Trust Lands Administration received an application, pursuant to R850-41-200, from Triple H Hunting, LLC, Bruce & Craig Hubbard, P.O. Box 580, Levan, UT 84639, to occupy all trust land located within the State of Utah, except for those lands subject to existing leases or permits which grant access control, and those lands that have been or may have been withdrawn by order of the Director, for a commercial guide service for the entire state of Utah for a one-year term.

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing charge, totaling \$300. Beginning date: September 1, 2008. Expiration date: August 31, 2009. Funding: School = 96.66%, U = 0.83%, Deaf = 0.16%, Blind = 0.01%, MH = 0.18%, NS = 0.16%, PB = <0.01%, SYDC = <0.01%, RES = 1.26%, SM = 0.21%, UNIV = 0.51%.

Upon recommendation of Mr. Lou Brown, the Director approved Right of Entry No. 5228 for a one year term.

EASEMENTS

EASEMENT NO. 585, AMENDMENT NO. 1 (APPROVAL)

APPLICANT'S NAME AND ADDRESS:

South Central Communications, Inc.
P.O. Box 555
Escalante, Utah 84726

LEGAL DESCRIPTION:

Township 36 South, Range 15 West, SLB&M
Section 16: E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ (within)

An underground cable easement 15 feet in width, being 7.5 feet on each side of the following described centerline:

Beginning at a point which is situated S 00°17'40" W along the section line 1205.85 feet and west 14.59 feet from the northeast corner of Section 16, Township 36 South, Range 15 West, SLB&M; thence S 04°36'23" W 21.06 feet; thence S 30°56'49" W 62.11 feet; thence S 32°56'27" W 57.17 feet; thence S 41°43'16" W 70.72 feet; thence S 22°19'18" W 74.34 feet; thence S 29°26'02" W 44.69 feet; thence S 29°48'29" W 31.73 feet to a point which is situated S 07°27'39" W 1529.03 feet from the northeast corner of said Section 16, said point being the end of the easement. Length of easement is 361.82 feet. Contains 0.12 acres.

An underground cable easement 10 feet in width, being 5 feet on each side of the following described centerline:

Beginning at a point which is situated S 89°19'17" W along the $\frac{1}{4}$ section line 669.72 feet and N 00°04'25" E 418.54 feet from the east $\frac{1}{4}$ corner of Section 16, Township 36 South, Range 15 West, SLB&M; thence N 42°03'57" E 232.85 feet; thence N 30°22'33" E 571.89 feet; thence N 11°48'52" W 2.87 feet to a point on the easterly line of the regeneration station site property, said point being the end of the easement. Total area is 0.185 acres more or less.

COUNTIES: Iron

ACRES: 0.305

FUND: School

EASEMENT NO. 585, AMENDMENT NO. 1 (APPROVAL) (CONTINUED)**PROPOSED ACTION:**

The grantee proposes to amend Easement No. 585 to allow for the installation of an additional segment of buried fiber optics cable. The new cable will run from an existing vault located alongside State Highway 56 in a southerly direction to an existing fiber optics regeneration station operated by Williams Company. The new segment of cable will be installed entirely within an existing disturbed area alongside an existing access road to the regeneration station. No new ground disturbance will be caused by the placement of this line. The proposed additional easement segment is 361.82 feet long and 15 feet wide, containing 0.12 acres. The total easement corridor, as amended, will now contain 0.305 acres. The term of the easement will remain 30 years, with the expiration date being December 31, 2028.

The amendment to this easement will replace Right of Entry No. 5226, which was granted on August 11, 2008, to authorize the applicant to begin construction on the new segment of buried cable.

RELEVANT FACTUAL BACKGROUND:

Easement No. 585 was issued on July 8, 1999, to construct, operate, repair, and maintain an underground communications cable. The easement corridor was 807.61 feet long and 10 feet wide, containing 0.185 acres. The term of the easement was 30 years, with an expiration date of December 31, 2028.

Since the additional length of buried cable will be installed within an existing disturbed area and will result in no new ground disturbance, review by the Resource Development Coordinating Committee ("RDCC") was not required.

The Trust Lands Administration's staff archaeologist has reviewed the proposed easement and determined that, since the installation of the new cable will result in no new ground disturbance, a cultural resource survey will not be required.

Right of Entry No. 5226 was issued on August 11, 2008, to allow the applicant to begin construction on the new segment of buried cable. This right of entry permit was issued for a term of 60 days or until Amendment No. 1 to Easement No. 585 is executed. This issuance of this right of entry was documented in the Director's Minutes of August 18, 2008.

EVALUATION OF FACTS:

1. The proposed easement amendment is located entirely on trust lands.
2. The term of the easement will not be affected and remains at 30 years from the effective date of the original easement.
3. The applicant has paid the School and Institutional Trust Lands Administration the \$400.00 amendment fee required pursuant to R850-4-200.
4. The applicant has paid the School and Institutional Trust Lands Administration an additional easement fee in the amount of \$263.14 as required pursuant to R850-40-600.
5. The proposed easement amendment will not have an unreasonably adverse affect on the developability or marketability of the subject property.

This action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 585, Amendment No. 1. The required \$400.00 amendment fee and \$263.14 easement fee have been paid.

EASEMENT NO. 1371 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Delta Petroleum Corporation
370 17th Street, Suite 4300
Denver, Colorado 80202

LEGAL DESCRIPTION:

Township 22 South, Range 16 East, SLB&M
Section 2: Lots 12 & 13, SW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

Beginning N 89°32'55" E 33.60 feet from the southwest corner of Section 2, T22S, R16E, SLB&M, said point being located on the south line of said Section 2; thence N 19°38'47" W 20.46 feet; thence around a 211.00 foot radius curve to the right for a distance of 93.09 feet, said curve having a chord bearing and distance of N 07°00'28" W 92.33 feet; thence N 05°37'51" E 163.39 feet; thence around a 211.00 foot radius curve to the right for a distance of 100.03 feet, said curve having a chord bearing and distance of N 17°30'47" E 99.10 feet; thence N 31°05'40" E 238.93 feet; thence N 25°48'00" E 87.64 feet; thence around a 211.00 foot radius curve to the right of a distance of 54.93 feet, said curve having a chord bearing and distance of N 33°15'31" E 54.78 feet; thence N 40°43'01" E 581.47 feet; thence around a 189.00 foot radius curve to the left for a distance of 19.84 feet, said curve having a chord bearing and distance of N 37°42'36" E 19.83 feet; thence N 34°42'11" E 272.60 feet; thence around a 189.00 foot radius curve to the left for a distance of 62.13 feet, said curve having a chord bearing and distance of N 25°17'09" E 61.85 feet; thence N 15°52'07" E 43.70 feet; thence N 01°10'27" E 40.58 feet; thence around a 179.00 foot radius curve to the left for a distance of 98.56 feet, said curve having a chord bearing and distance of N 03°11'26" W 97.32 feet; thence N 07°33'20" W 40.58 feet; thence N 22°02'55" W 539.45 feet; thence around a 121.00 foot radius curve to the right for a distance of 107.29 feet, said curve having a chord bearing and distance of N 28°46'13" E 103.81 feet; thence N 79°26'12" E 307.05 feet; thence around a 189.00 foot radius curve to the left for a distance of 145.15 feet, said curve having a chord bearing and distance of N 57°47'20" E 141.61 feet; thence N 35°47'15" E 47.55 feet; thence N 02°10'42" E 98.53 feet; thence around a 211.00 foot radius curve to the right for a distance of 185.31 feet, said curve having a chord bearing and distance of N 06°16'18" W 179.41 feet; thence N 18°53'15" E 196.41 feet; thence around a 189.00 foot radius curve to the left for a distance of 132.55 feet, said curve having a chord bearing and distance of N 01°12'13" W 129.85 feet; thence around a 211.00 foot radius curve to the right for a distance of 143.54 feet, said curve having a chord bearing and distance of N 01°48'23" W 140.79 feet to a point on the existing county road; thence S 72°19'03" E 32.00 feet along said county road; thence leaving said county road around a 179.00 foot radius curve to the left for a distance of 49.16 feet, said curve having a chord bearing and distance of S 09°48'55" W 49.00 feet; thence S 10°27'58" W 39.69 feet; thence around a 189.00 foot radius curve to the left for a distance of 37.13 feet, said curve having a chord bearing and distance of S 15°40'01" E 37.07 feet; thence around a 211.00 foot radius curve to the right for a distance of 147.98 feet, said curve having a chord bearing and distance of S 01°12'13" E 144.96 feet; thence S 18°53'15" W 196.41 feet; thence around a 189.00 foot radius curve to the left for a distance of 140.80 feet, said curve having a chord bearing and distance of S 02°27'17" E 137.57 feet; thence S 41°21'19" E 41.96 feet; thence around a 121.00 foot radius curve to the right for a distance of 109.50 feet, said curve having a chord bearing and distance of S 02°12'04" W 105.80 feet; thence S 47°51'06" W 42.68 feet; thence S 35°47'15" W 21.94 feet; thence around a 211.00 foot radius curve to the right for a distance of 162.05 feet, said curve having a chord bearing and distance of S 57°47'20" W 158.08 feet; thence S 79°47'25" W 254.73 feet; thence around a 89.00 foot radius curve to the left for a distance of 158.50 feet, said curve having a chord bearing and distance of S 28°46'13" W 138.37 feet; thence S 22°15'00" E 516.12 feet; thence around a 211.00 foot radius curve to the right for a distance of 140.38 feet, said curve having a chord bearing and distance of S 03°11'26" E 137.80 feet; thence S 15°52'07" W 72.69 feet; thence around a 211.00 foot radius curve to the right for a distance of 69.36 feet, said curve having a chord bearing and distance of S 25°17'09" W 69.05 feet; thence S 34°42'11" W 283.68 feet; thence S 40°43'01" W 40.23 feet; thence S 26°40'51" W 41.23 feet; thence S 40°43'01" W 101.23 feet;

EASEMENT NO. 1371 (APPROVAL) (CONTINUED)

thence S 54°45'12" W 41.23 feet; thence S 40°43'01" W 371.09 feet; thence around a 189.00 foot radius curve to the left for a distance of 49.21 feet, said curve having a chord bearing and distance of S 33°15'31" W 49.07 feet; thence S 25°48'00" W 88.66 feet; thence S 31°05'40" W 187.04 feet; thence S 17°03'29" W 42.74 feet; thence around a 179.00 foot radius curve to the left for a distance of 97.69 feet, said curve having a chord bearing and distance of S 19°07'27" W 96.49 feet; thence S 19°40'02" W 41.36 feet; thence S 05°37'51" W 122.83 feet; thence around a 189.00 foot radius curve to the left for a distance of 83.38 feet, said curve having a chord bearing and distance of S 07°00'28" E 82.71 feet; thence S 19°38'47" E 28.12 feet to a point on the south line of said Section 2; thence S 89°32'55" W 23.30 feet along the south line of said Section 2 to the point of beginning. Containing 2.088 acres.

COUNTY: Grand

ACRES: 2.088

FUND: School

PROPOSED ACTION:

The applicant requests an easement to operate, repair, and maintain an existing access road. The access road will service the proposed Federal #11-24, Federal #13-11, and Federal #15-33 Wells located on federal lands to the south. The proposed easement corridor is 3,820.80 feet long and ranges between 20 and 50 feet in width, containing 2.088 acres. The term of the easement will be 30 years.

RELEVANT FACTUAL BACKGROUND:

The proposed easement was exempt from review by the Resource Development Coordinating Committee ("RDCC") since it is for an existing access road and will not involve any new ground disturbance.

The proposed easement corridor was surveyed for cultural resources by Western Land Services (U-07-LW-1320b,s) with a finding of "No Historic Properties." The Trust Lands Administration's staff archaeologist and the State Historic Preservation Office ("SHPO") have reviewed the project and concur with this finding.

EVALUATION OF FACTS:

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1371 for a term of 30 years, beginning September 1, 2008, and expiring August 31, 2038, with the easement fee being \$1,157.82 plus the \$750.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00.

EASEMENT NO. 1380 (APPROVAL)

APPLICANT'S NAME AND ADDRESS:

Kerr McGee Oil and Gas Onshore LP
1368 South 1200 East
Vernal, Utah 84078

LEGAL DESCRIPTION:

Trunk Pipelines:

Township 9 South, Range 20 East, SLB&M

Section 36: N $\frac{1}{2}$ SE $\frac{1}{4}$ (within)

Township 9 South, Range 21 East, SLB&M

Section 31: Lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ (within)

Section 32: Lots 2 & 3, N $\frac{1}{2}$ S $\frac{1}{2}$ (within)

Section 33: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (within)

Section 34: S $\frac{1}{2}$ N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

Section 35: Lots 1 & 2, N $\frac{1}{2}$ S $\frac{1}{2}$ (within)

Section 36: NW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, T9S, R20E, SLB&M, which bears S 70°39'54" W 1548.84 feet from the east $\frac{1}{4}$ corner of said Section 36; thence N 03°56'51" E 100.18 feet; thence S 86°53'47" E 906.10 feet; thence S 60°42'52" E 115.80 feet; thence S 89°52'26" E 452.89 feet to a point on the east line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 36, which bears S 00°27'00" E 519.58 feet from the east $\frac{1}{4}$ corner of said Section 36; thence S 89°52'26" E 1311.49 feet; thence N 81°57'35" E 1106.09 feet; thence S 89°32'36" E 2722.59 feet; thence N 79°40'36" E 426.05 feet; thence N 69°11'22" E 113.81 feet to a point on the east line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T9S, R21E, SLB&M, which bears N 00°46'19" W 2308.67 feet from the southeast corner of said Section 31; thence N 69°11'22" E 535.96 feet; thence S 65°40'29" E 370.42 feet; thence S 40°31'20" E 347.64 feet; thence S 53°18'55" E 639.18 feet; thence S 76°53'25" E 847.47 feet; thence S 71°03'28" E 486.66 feet; thence N 73°27'46" E 637.52 feet; thence N 51°43'25" E 812.17 feet; thence N 41°32'07" E 236.62 feet; thence N 75°10'42" E 531.94 feet; thence N 74°25'06" E 480.23 feet to a point on the east line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T9S, R21E, SLB&M, which bears S 01°51'59" E 466.58 feet from the east $\frac{1}{4}$ corner of said Section 32; thence N 74°25'06" E 366.82 feet; thence N 65°24'08" E 306.97 feet; thence N 56°31'50" E 569.59 feet; thence N 62°24'38" E 637.49 feet; thence N 89°32'27" E 499.76 feet; thence S 53°01'33" E 307.28 feet; thence S 18°03'42" E 350.31 feet; thence S 47°50'44" E 281.15 feet; thence S 88°23'28" E 508.51 feet; thence S 87°09'09" E 531.10 feet; thence N 71°07'42" E 513.32 feet; thence N 48°18'11" E 600.89 feet; thence N 72°53'07" E 306.11 feet; thence S 68°04'20" E 291.58 feet to a point on the east line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T9S, R21E, SLB&M, which bears N 00°05'56" E 179.03 feet from the east $\frac{1}{4}$ corner of said Section 33; thence S 68°04'20" E 362.04 feet; thence N 76°34'09" E 1823.54 feet; thence S 75°45'53" E 1277.08 feet; thence N 72°10'50" E 852.83 feet; thence S 61°16'22" E 746.66 feet; thence S 52°06'59" E 520.19 feet; thence S 82°04'58" E 83.53 feet to a point on the east line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T9S, R21E, SLB&M, which bears S 00°12'34" W 273.77 feet from the east $\frac{1}{4}$ corner of said Section 34; thence S 82°04'58" E 489.53 feet; thence S 88°20'43" E 978.47 feet; thence S 43°34'01" E 174.38 feet; thence S 57°16'05" E 260.10 feet; thence S 71°11'31" E 445.93 feet; thence S 69°10'20" E 188.11 feet; thence N 80°02'02" E 514.93 feet; thence S 22°25'50" E 484.36 feet; thence S 22°55'14" E 814.08 feet; thence N 60°02'40" E 1358.17 feet; thence N 60°18'56" E 797.69 feet to a point on the east line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T9S, R21E, SLB&M, which bears N 00°01'34" W 1745.57 feet from the southeast corner of said Section 35; thence N 60°18'56" E 609.22

EASEMENT NO. 1380 (APPROVAL) (CONTINUED)

feet; thence N 50°06'53" E 150.97 feet; thence N 56°36'30" E 55.55 feet; thence S 58°28'31" E 99.33 feet to a point in the NW¼SW¼ of Section 36, T9S, R21E, SLB&M, which bears N 20°03'57" E 2259.89 feet from the southwest corner of said Section 36. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 22.272 acres more or less.

Lateral "A":

Township 9 South, Range 21 East, SLB&M
Section 35: Lot 2, NW¼SE¼ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NW¼SE¼ of Section 35, T9S, R21E, SLB&M, which bears N 50°42'29" W 2099.73 feet from the southeast corner of said Section 35; thence S 66°28'52" W 482.14 feet to a point in the SW¼SE¼ of said Section 35, which bears N 61°10'52" W 2359.34 feet from the southeast corner of said Section 35. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.332 acres more or less.

Lateral "B":

Township 9 South, Range 21 East, SLB&M
Section 35: NW¼SW¼ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NW¼SW¼ of Section 35, T9S, R21E, SLB&M, which bears S 54°12'43" E 971.42 feet from the west ¼ corner of said Section 35; thence N 01°33'54" E 217.70 feet to a point in the NW¼SW¼ of said Section 35, which bears S 66°10'59" E 867.86 feet from the west ¼ corner of said Section 35. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.150 acres more or less.

Lateral "C":

Township 9 South, Range 21 East, SLB&M
Section 34: NE¼SE¼ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NE¼SE¼ of Section 34, T9S, R21E, SLB&M, which bears S 33°29'14" W 925.11 feet from the east ¼ corner of said Section 34; thence N 37°00'25" E 224.11 feet; thence N 37°04'50" E 439.38 feet to a point in the NE¼SE¼ of said Section 34, which bears S 24°33'38" W 266.14 feet from the east ¼ corner of said Section 34. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.457 acres more or less.

EASEMENT NO. 1380 (APPROVAL) (CONTINUED)

Lateral "D":

Township 9 South, Range 21 East, SLB&M

Section 34: N½SE¼ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NW¼SE¼ of Section 34, T9S, R21E, SLB&M, which bears S 56°42'13" W 1713.03 feet from the east ¼ corner of said Section 34; thence N 61°44'54" E 110.04 feet; thence N 68°41'53" E 95.10 feet; thence N 68°16'41" E 130.08 feet; thence N 70°13'39" E 87.20 feet; thence N 61°49'05" E 436.80 feet; thence S 85°24'04" E 283.74 feet to a point in the NE¼SE¼ of said Section 34, which bears S 32°21'48" W 701.57 feet from the east ¼ corner of said Section 34. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.787 acres more or less.

Lateral "E":

Township 9 South, Range 21 East, SLB&M

Section 34: SE¼NE¼ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the SE¼NE¼ of Section 34, T9S, R21E, SLB&M, which bears N 66°01'00" W 988.82 feet from the east ¼ corner of said Section 34; thence S 31°08'06" W 105.82 feet to a point in the SE¼NE¼ of said Section 34, which bears N 71°59'56" W 1007.48 feet from the east ¼ corner of said Section 34. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.073 acres more or less.

Lateral "F":

Township 9 South, Range 21 East, SLB&M

Section 34: SE¼NW¼, NE¼SW¼ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NE¼SW¼ of Section 34, T9S, R21E, SLB&M, which bears S 87°10'42" E 2397.72 feet from the west ¼ corner of said Section 34; thence N 14°42'36" E 496.72 feet to a point in the SE¼NW¼ of said Section 34, which bears N 81°49'09" E 2546.86 feet from the west ¼ corner of said Section 34. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.342 acres more or less.

EASEMENT NO. 1380 (APPROVAL) (CONTINUED)

Lateral "G":

Township 9 South, Range 21 East, SLB&M
Section 34: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T9S, R21E, SLB&M, which bears S 84°46'35" E 433.07 feet from the west $\frac{1}{4}$ corner of said Section 34; thence N 00°33'59" E 106.54 feet to a point in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 34, which bears N 81°10'38" E 437.50 feet from the west $\frac{1}{4}$ corner of said Section 34. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.073 acres more or less.

Lateral "H":

Township 9 South, Range 21 East, SLB&M
Section 33: NE $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T9S, R21E, SLB&M, which bears S 67°06'40" W 945.21 feet from the east $\frac{1}{4}$ corner of said Section 33; thence N 40°26'46" E 52.53 feet; thence N 40°30'39" W 209.41 feet to a point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 33, which bears S 80°15'26" W 986.38 feet from the east $\frac{1}{4}$ corner of said Section 33. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.180 acres more or less.

Lateral "I":

Township 9 South, Range 21 East, SLB&M
Section 33: NW $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T9S, R21E, SLB&M, which bears S 74°50'02" W 2149.66 feet from the east $\frac{1}{4}$ corner of said Section 33; thence N 02°05'22" W 222.21 feet to a point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 33, which bears S 80°15'26" W 986.38 feet from the east $\frac{1}{4}$ corner of said Section 33. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.153 acres more or less.

Lateral "J":

Township 9 South, Range 21 East, SLB&M
Section 33: SE $\frac{1}{4}$ NW $\frac{1}{4}$ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

EASEMENT NO. 1380 (APPROVAL) (CONTINUED)

Beginning at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T9S, R21E, SLB&M, which bears N 65°18'10" E 1963.96 feet from the west $\frac{1}{4}$ corner of said Section 33; thence S 00°29'54" E 450.64 feet to a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 33, which bears N 78°18'40" E 1826.10 feet from the west $\frac{1}{4}$ corner of said Section 33. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 0.310 acres more or less.

Willow Creek Lateral:**Township 9 South, Range 21 East, SLB&M**

Section 32: E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

A 30 foot wide easement, being 15 feet on each side its centerline, along with an additional 30 foot wide temporary construction easement, said centerline being more particularly described as follows:

Beginning at a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T9S, R21E, SLB&M, which bears S 54°04'30" E 1112.30 feet from the west $\frac{1}{4}$ corner of said Section 32; thence N 49°30'21" E 165.61 feet; thence N 24°19'56" E 214.88 feet; thence N 04°39'56" E 783.83 feet; thence N 03°18'56" W 133.15 feet; thence N 73°54'26" E 350.84 feet; thence N 58°45'45" E 210.63 feet; thence N 47°16'29" E 204.83 feet; thence N 32°23'54" E 407.15 feet; thence N 32°18'09" W 463.46 feet; thence N 23°16'16" W 465.36 feet to a point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 32, which bears S 59°55'42" W 1132.82 feet from the north $\frac{1}{4}$ corner of said Section 32. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 2.341 acres more or less.

COUNTY: Uintah

ACRES: 27.470

FUND: School

PROPOSED ACTION:

The applicant requests an easement to construct, operate, repair, and maintain a network of 6-inch diameter buried water pipelines located within the Natural Buttes Block in Uintah County. The network of pipelines will be used to transport water from a number of existing well sites for disposal into either the NBU 159 disposal well or existing evaporation ponds. The system consists of two 6-inch trunk lines and eleven 6-inch lateral lines which will tie the well sites and a compressor site into the trunk lines. The trunk lines then connect to the water disposal well and evaporation ponds. The proposed easement corridor is a total length of 39,388.28 feet (7.46 miles) and 30 feet wide, containing 27.47 acres. The applicant has also requested an additional 30 foot wide temporary easement to be used during the construction phase of the project. The term of the easement would be 30 years.

RELEVANT FACTUAL BACKGROUND:

The Resource Development Coordinating Committee ("RDCC") review was initiated on April 10, 2008. Comments were received from the Uintah County Commission as follows:

Uintah County Commission:

"Thank you for the opportunity to comment on the construction, operation, repair, and maintenance by Kerr-McGee Oil & Gas Onshore, LP for a network of 6-inch buried water pipelines located in T9S, R21E, Sec. 31: Lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$; Sec. 32: Lots 2 & 3, N $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$; Sec. 33: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$; Sec. 34: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$; Sec. 35: Lots 1 & 2, N $\frac{1}{2}$ S $\frac{1}{2}$; Sec. 36: NW $\frac{1}{4}$ SW $\frac{1}{4}$; T9S R20E, Sec. 36: N $\frac{1}{2}$ SE $\frac{1}{4}$ within Uintah County. This network of pipelines will transport water from a number of existing well sites for disposal into either the NBU 159 disposal well or existing evaporation ponds. The system consists of two 6-inch trunk lines and ten 6-inch lateral lines which tie the well sites and a compressor site into the trunk lines. The trunk lines then connect to the water disposal well and the evaporation ponds. The proposed easement corridor is a total of 39,388.28 feet long (7.46 miles) and 60 feet wide, containing 54.94 acres.

EASEMENT NO. 1380 (APPROVAL) (CONTINUED)

"Uintah County supports this action, keeping ground disturbance caused by the increase in traffic, equipment, dust, and noise emissions during construction at a minimum.

"We would ask that Kerr-McGee Oil & Gas Onshore LP contact the Uintah County Planning & Zoning Department for the necessary county permits, and the Uintah County Road Department for permits when crossing county roads.

"We have no further comment at this time, but reserve the right to comment at a later date if warranted."

The applicant has been notified of the comments provided by the RDCC.

The project area has been surveyed for cultural resources under several surveys conducted by Montgomery Archaeological Consultants (U-07-MQ-1255s, U-06-MQ-0386s, U-05-MQ-0039s, U-07-MQ-0252s, U-06-MQ-0287, and U-07-MQ1437). Three sites were identified which were considered to be eligible for the National Register of Historic Places. It was recommended that these sites be avoided by all construction activities. The proposed pipeline corridor has been re-routed to avoid these sites. Based upon avoidance of these sites, a finding of "No Historic Properties" was given for the proposed undertaking. Upon review of the project and these surveys, the Trust Lands Administration's staff archaeologist and the State Historic Preservation Office ("SHPO") have concurred with this finding.

The project area has been surveyed for paleontological resources by Intermountain Paleo-Consulting (Report Nos. 08-81 & 08-10). No vertebrate fossils were found within the proposed easement corridor, therefore it was recommended that no paleontological restrictions be placed upon the development of the project. If any fossil materials are discovered during construction, a qualified paleontologist should be notified immediately to evaluate the discovery.

The lands underlying the easement have been identified as having future oil shale extraction potential; therefore, in order to protect this potential for future oil shale extraction, a relocation clause will be included in the easement agreement.

There may also be undiscovered gilsonite veins in the lands underlying the easement corridor. If any gilsonite veins are discovered during construction, the discovery should be immediately reported to the Trust Lands Administration.

EVALUATION OF FACTS:

1. The proposed easement is located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1380 for a term of 30 years beginning August 1, 2008, and expiring July 31, 2038, with the easement fee being \$40,769.07 plus the \$750.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00.

SPECIAL USE LEASE AGREEMENTS

SPECIAL USE LEASE APPLICATION NO. 1586 (WITHDRAWAL OF APPLICATION)

T-Mobile USA, Inc., 121 W. Election Road #300, Draper, UT 84020, has withdrawn the above-referenced telecommunication lease application for a cell tower. It is planning to locate its equipment at another site in Juab County, not on trust lands. No application fee or any other monies were received from the applicant; therefore, there is no refund due to the applicant. Juab County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director approved the withdrawal of Special Use Lease Application No. 1586.

SPECIAL USE LEASE AGREEMENT NO. 1576 (RECLAMATION BOND)

Pursuant to Paragraph 21 of the lease agreement, Aurora Gathering LLC, 1401 – 17th Street, Suite 700, Denver, CO 80202, has submitted Corporate Surety Bond No. B004575, effective August 6, 2008. The bonding company is U.S. Specialty Insurance Company, 13403 Northwest Freeway, Houston, TX 77040. The reclamation bond is for \$5,000.00 and will remain in full force and effect until released by the Trust Lands Administration. Uintah County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director accepted the bond submitted for SULA 1576.

SPECIAL USE LEASE AGREEMENT NO. 1601-MIN (CANCELLATION OF LEASE AND REFUND OF FEES)

On July 29, 2008, ConocoPhillips Company, 1600 Broadway, Ste 1800, Denver, CO 80202, submitted an application for a special use lease agreement for a directional well. This application is a duplication of Special Use Lease No. 1571-MIN. Therefore, SULA 1601-MIN will be canceled and **the \$600.00 rental which was submitted for SULA 1601-MIN will be refunded to the applicant.** Emery County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the cancellation of SULA 1601-MIN and ordered a **refund of the \$600.00 rental be sent to the applicant at the following address:**

**ConocoPhillips Company
Property Tax, Real Estate, Right of Way & Claims
Attn: Brandon W. Treese
1600 Broadway, Ste 1800
Denver, CO 80202**

TIMBER SALES**TIMBER SALE NO. 841 (DEEP CREEK ASPEN SALE)****LEGAL DESCRIPTION:**T26S, R25E, (SLB&M)

Sections 26, 27, 34, 35: within

COUNTY: Grand and San Juan

ACRES: 107.76

FUND: USU

RELEVANT FACTUAL BACKGROUND:**1. REASONS FOR PROPOSED SALE:**

The existing aspen stands within the sale area are 40% dead. This is attributed to maturity and Poplar Beetle infestation. The aspen stands will continue to decline without proper disturbance to promote regeneration. An estimated 8,918 tons of sawtimber/excelsior will be removed. A one-cut shelterwood method and a scarification method will be used to promote natural regeneration in each stand.

This sale will be offered as partial fulfillment of the 1 million board feet the Agency is obligated to provide annually to Western Excelsior Corporation, P.O. Box 659, Mancos, Colorado 81328, under the terms of the Long Term Agreement (PRED 634).

2. ESTIMATED TOTAL VOLUME:

A line fixed-plot cruise of the aspen stands has been performed and an estimated 8,918 tons of sawtimber/excelsior will be removed. Scribner Form-Class 78 Tables and Conversions of an average of 27 tons per logging truck load and 5,900 net board feet per load were used to prepare the weight estimates.

3. RDCC COMMENTS AND RESPONSE:

The Resource Development Coordinating Committee ("RDCC") review was initiated July 9, 2008. No comments were received.

4. PUBLIC COMMENTS AND RESPONSE:

No comments from the public were received.

5. CULTURAL RESOURCE CONSULTATION RESULTS:

A staff archaeologist has reviewed the project and cleared it for cultural resource purposes.

6. ACCESS:

In conjunction with this sale, existing spur roads (6,932 ft.) and new construction (1,305 ft.) will be needed to provide temporary access. The roads will total 8,237 feet in length. Following the completion of the sale, all temporary roads will be deconstructed and rehabilitated.

EVALUATION OF FACTS:**1. PRELIMINARY APPRAISAL OF VALUE PER TON AND TOTAL:**

Under the terms of the Long Term Agreement ("LTA"), the sale price will be \$10.50/ton for a maximum total sale price of \$93,639.00 plus administrative fees.

2. PERFORMANCE BOND RECOMMENDATION:

A payment bond in the amount of \$145,603.50 and a performance bond of \$75,000.00 have been submitted for the LTA and will be used for this sale.

TIMBER SALE NO. 841 (DEEP CREEK ASPEN SALE) (CONTINUED)

3. RECOMMENDED ADMINISTRATIVE REQUIREMENTS:

A. ACCESS, NEW/UPGRADED ROADS:

Temporary roads will be constructed in accordance with Forest Water Quality Guidelines which will be attached to the timber sale contract. Under standard timber sale contract language, any required maintenance of roads administered by any other entity is the responsibility of the purchaser.

B. SPECIAL PRECAUTIONS/STIPULATIONS:

Standard contract language will be used and will cover all aspects of this activity and no special language/precautions are required.

4. IDENTIFICATION OF POTENTIAL MARKETS:

As this sale is being offered under the LaSal Mountain LTA, there will be no advertising.

Upon recommendation of Mr. Adam Robison, Forester, the Director approved the above-described timber sale subject to the terms and conditions indicated. Based on this evaluation, this summary will constitute the record of decision.

DEVELOPMENT ACTIONS

GATEWAY BUSINESS PARK #2 ROAD DEDICATION (DEVL 879)

PROJECT: Gateway Industrial
PROJECT MANAGER: Alexa Wilson
PROJECT CODE: GWIND 000 00
FUND: Miners Hospital
DATE OF RECORDING: January 12, 2006
PLAT DEDICATION NO.: 168

CONVEYANCE TO:
HURRICANE CITY
147 N. 870 West
Hurricane, UT 84780

TRANSACTIONAL CONTEXT:
Development pursuant to Development Lease DEVL 1. Conveyance pursuant to recorded Subdivision plat.

LEGAL DESCRIPTION:
Township 42 South, Range 14 West, SLB&M
Sections 3 and 4:

All of the public road and easements of Gateway Business Park #2 Subdivision, according to the plat of record, recorded on January 12, 2006, as Entry 996928, filed in Book 1833, Page 1695 et. seq., records of Washington County, Utah.

Contains 0.90 acres, more or less.

GATEWAY BUSINESS PARK #2 ROAD DEDICATION (DEVL 879) (CONTINUED)

NUMBER OF ACRES BY COUNTY: 0.90 acres – Washington County

NUMBER OF ACRES BY FUND: 0.90 – Miners Hospital

MINERAL RESERVATIONS:

Excepting and reserving to the State all coal, oil and gas, and other mineral deposits.

SURFACE RESERVATIONS:

None

Upon recommendation of Alexa Wilson, the Director approved the above item.

ACTIONS CONTAINING FEE WAIVERS

NONE